

ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.045

TITLE:

**AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE)
ARTICLE IV, TO ESTABLISH A REGISTRATION FEE FOR VACANT LOTS AND TO
PROVIDE MAINTENCE STANDARDS FOR VACANT LOTS**

WHEREAS, the City of Jersey City contains many vacant lots; and

WHEREAS, often the owners of these vacant lots are neglectful of them, fail to maintain or secure them to an adequate standard, or plan to return to productive use; and

WHEREAS, it has been demonstrated that vacant lots cause harm to the health, welfare and safety of the community, including an increase in criminal activity, litter, environmental degradation and diminution of adjacent and neighboring property values; and

WHEREAS, the citizens of Jersey City must bear the increased cost associated with dealing with the problems of vacant lots including, but not limited to excessive police calls, and property inspections; and

WHEREAS, it is in the public's best interest that the City of Jersey City establish minimum standards of accountability on the owners or other responsible parties of vacant lots in order to protect the health, welfare and safety of the community; and

WHEREAS, it is in the public's best interest that the City of Jersey City impose a fee in conjunction with a registration ordinance to for vacant lots in light of the costs imposed upon the citizens of Jersey City by the presence of these structures.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

- A. The following amendments to Chapter 254 (Property Maintenance) creating a Vacant Lot Registry are set forth below and shall be adopted:

PROPERTY MAINTENANCE
Article IV ~~Unfit Buildings~~ Vacant Properties

§ 254-20. ~~Vacant structures; vacant lots; inspection; notice; hearings.~~

- A. The Chief ~~Director of the Division of Housing Code Enforcement (HCE)~~ on his or her own, or upon the filing of a petition by a public authority or by at least five residents of the eCity, shall make an inspection of any building believed to be unfit for human habitation, occupancy or use; and if his or her a preliminary investigation discloses a basis for such charges, the Director of the Division of Construction Code Official ~~Housing Code Enforcement~~ or his or her designee,

thereupon shall serve upon the owner of the building and parties in interest in such a building, a notice stating the charges in that respect and setting a date for a hearing before the ~~Director of the Division of Construction Code Official~~ Director of Housing Code Enforcement not less than seven nor more than 30 days from the date of service of said notice. The owner and parties in interest shall be given the right to file an answer to the notice and to appear in person or otherwise and give testimony at the time and place fixed in the notice. The rules of evidence prevailing in the courts shall not be controlling in hearings before the ~~Director of the Division of Construction Code Official~~ Director of Housing Code Enforcement.

- B. ~~The Construction Official~~ Director of Housing Code Enforcement shall determine within 90 days after notice to the owner whether a building should be condemned and the owner directed to either repair or demolish the building.
- C. The Director of the Division of Housing Code Enforcement (HCE) on his or her own, or upon the filing of a petition by a public authority or by at least five residents of the City, shall make an inspection of any vacant lot and if a preliminary investigation indicates that lot is unkempt and should be added to the City's vacant Lot Registry then the Director Housing Code Enforcement or his or her designee, shall serve upon the owner of the lot and parties in interest in the lot, a notice stating the charges in that respect and setting a date for a hearing before the Director of Housing Code Enforcement not less than seven nor more than 30 days from the date of service of said notice. The owner and parties in interest shall be given the right to file an answer to the notice and to appear in person or otherwise and give testimony at the time and place fixed in the notice. The rules of evidence prevailing in the courts shall not be controlling in hearings before the Director of Housing Code Enforcement.
- C.D. ~~The Construction Official~~ Director of Housing Code Enforcement shall provide the Mayor and Council with quarterly reports on the status of all buildings and lots reported to his or her division as abandoned or unfit for human occupancy. Such report shall indicate the ~~Construction Official's~~ Housing Code Enforcement Director's decision as to each such building.

§ 254-21. Vacant or boarded structures.

- A. Any residential or commercial building or structure in the City of Jersey City remaining vacant or boarded for a period exceeding six (6) months shall be deemed a fire hazard and unsafe.
- B. If any residential or commercial building or structure remains vacant or boarded for more than six (6) months, the ~~Construction Official~~ Director of Housing Code Enforcement or his or her designee shall serve upon the owner, agent or person in control of the building or structure a written notice describing the building or structure and requiring the owner, agent or person in control of the building or the structure to abate this condition by taking one (1) of the following corrective measures within six (6) months of the date of written notification.
 - (1) Actual and legal occupancy of the building or structure, which occupancy shall be made only after obtaining a certificate of occupancy.
 - (2) Submission of a fully executed and binding contract of sale for the property building, which contract shall contain a clause advising the

prospective purchaser that occupancy must be achieved within six (6) months of the service of the written notice specified above.

- (3) Demolition of the building or structure, upon obtaining the necessary demolition permit(s).
- (4) Any other action required or necessary to render the building or structure safe and in a habitable condition.

C. Where a building or structure has been abandoned for a period exceeding six (6) months and ownership cannot be determined, the city shall institute appropriate legal action to acquire title to the building or structure pursuant to the police powers vested in the City of Jersey City and upon acquisition, the building or structure shall be maintained by the eCity in a condition compatible with the surrounding neighborhood until such time as said property is disposed of at public auction or as otherwise permitted by law.

§ 254-21.1. Purpose.

The purpose of this Section Article IV is to require accountability from the owners of vacant buildings and abandoned properties lots within the City of Jersey City by establishing a system of registration and the maintenance plan approval, and impose the fees to fund these efforts which will protect public health, safety and general welfare of the citizens and improve unsightly neighborhoods, require secure structures, prevent structural deterioration, and protect neighborhood property values and safety.

§ 254-22.2. Definitions.

The following words, terms and phrases, when, used in this division section, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

ABANDONED PROPERTY defined in accordance with N.J.S.A. 55:19-78 means improved real property that has not been legally occupied for six (6) months and which meets any one of the criteria set forth in N.J.S.A. 55:19-78.

DIVISION OF HOUSING CODE ENFORCEMENT (HCE) is the City division charged with enforcing the provisions of this Ordinance.

ENFORCEMENT OFFICIAL means any duly authorized City employee or designated representative.

EVIDENCE OF VACANCY means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for six (6) or more months. Such conditions include, but are not limited to, overgrown or dead vegetation, accumulation of newspapers, circulars, flyers or mail, past due utility notices or disconnected utilities, accumulation of trash, junk or debris, the absence of window coverings -such as curtains, blinds or shutters, the absence of furnishings or personal items consistent with residential habitation, statements by neighbors, delivery agents, or government employees that the property is vacant or abandoned.

OWNER means any person, co-partnership, agent, operator, firm, association, corporation, or fiduciary having a legal or equitable interest in the property; or appears on the official records of the state, country, or municipality as holding title to the property; or otherwise exercises control of the property, including the trustee or guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PROPERTY means any unimproved or improved real property, or portion thereof, located in the City of Jersey City, including the buildings or structures located on the property regardless of condition.

VACANT PROPERTY BUILDING means any property building used or to be used as a residence which is (i) not legally occupied or (ii) at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be re-occupied without repair or rehabilitation; provided, however, that any property with all "building systems" in working order that is also being actively marketed by its owner for sale or rental, shall not be deemed vacant.

VACANT LOT means a platted or unplatted parcel of land, which does not contain a habitable or commercial structure.

§ 254-21.3. General requirements for vacant buildings and lots.

- A. ~~Effective October 15, 2011, the owner of any property building which is, becomes or is found to be vacant shall within sixty (60) days (or within thirty (30) days of assuming ownership of such property building) Sixty (60) days after the effective date of this Ordinance or thirty (30) days after a building or lot becomes vacant the owner shall file a registration statement for each such property vacant building or lot with the City Division of Housing Code Enforcement (HCE) on forms provided by HCE for such purposes. The registration shall, remain valid until the subsequent October 15 for one (1) year. The owner shall be required to renew the registration annually as long as the property building or lot remains vacant or abandoned and shall pay a registration or renewal fee in the amount prescribed in § 254-21.9.~~
- B. ~~The owner of property which was vacant prior to October 1, 2011, shall file a registration statement for that property on or before October 31, 2011. The registration statement shall include the information required under § 254-21.4 of this Chapter, as well as any additional information that the HCE may reasonably require.~~
- ~~C.B.~~ The Owner shall notify the HCE within thirty (30) days of any change in the registration information by filing an amended registration statement on a form provided by the HCE for such purpose.
- ~~D.C.~~ The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City of Jersey City against the owner or owners of the property.

§ 254-21.4. Registration requirements for vacant buildings and lots.

The owner of a vacant building(s) or lot(s) shall provide the following information to HCE on a the registration form or form(s) prescribed by HCE:

- (1) Name, address, email address and contact telephone number of the owner; the owner's address must include a street address; a post office box is not acceptable.
- (2) Name, address, email address and contact telephone number of any local agent(s) or representative for the property building or lot;
- (3) Name, address, email address and contact telephone number of the person assigned to the property for the security and maintenance of the property building or lot;

- (4) Common address and tax assessor's block and lot designation of the property building or lot;
- (5) If a vacant building, the date on which the property building became vacant;
- (6) If a vacant building, proof of utility (gas, electric, water) connections or disconnections; and
- (7) Any other information reasonably required by the ~~HCE~~ the City to ensure the safety of all persons and to prevent neglect.
- (8) Any government entity that owns a vacant building or lot will be required to register with Jersey City, but the registration fee shall be waived.
- (8)(9) By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property building or lot and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building or lot by service of the notice of process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the ~~HCE~~ City of a change of an authorized agent or until the owner files a new annual registration statement.
- (10) The owner is required to update the form within thirty (30) days of a change of any information contained within the form.
- (11) The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City of Jersey City against the owner or owners of the vacant building or lot.
- (12) An Enforcement Official may identify vacant lots through his/her routine inspection process as well as through notification by residents, or other community groups that a lot may be eligible for inclusion on the registry. Notice will be served upon, or sent by mail, to the owner and will be deemed received by the owner, upon personal delivery; or five days after service by first class mail.
- (13) The Director of Housing Code Enforcement shall provide the Mayor and Council with quarterly reports on the status of all vacant lots.

§ 254-21.5. ~~Property~~ Vacant building inspection.

After filing a registration statement or a renewal of a registration statement and upon reasonable notice, the owner of any vacant property building shall provide access to the City to conduct an exterior and interior inspection of the building to determine compliance with the municipal code, during the period covered by the initial registration or any subsequent renewal.

§ 254-21.6. Requirements for owners of vacant property buildings.

The owner of any property building that has become vacant, and any person maintaining, operating or collecting rent for any such property building shall, within thirty (30) days:

- (1) Enclose and secure the property building against unauthorized entry in accordance with the applicable provisions of the Code of the City of Jersey City.
- (2) Post a sign affixed to the property building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to this Chapter) and the person responsible for day-to-day supervision and management of the property, if such person is different from the owner or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18" x 24"; and
- (3) Secure the property building from unauthorized entry and maintain the sign until the property building is again legally occupied or demolished or until repair or rehabilitation of the property is complete.

§ 254-21.7. Vacant property building deemed abandoned property building; list of abandoned property building to be maintained by the director of housing and economic development; remedies for abandoned property building.

If the Director of ~~HED~~ Housing Code Enforcement determines that vacant property building as defined herein has been abandoned as defined in N.J.S.A. 55:19-81, the Director shall place the property building on a list of abandoned properties buildings to be maintained by the Director in accordance with N.J.S.A. 55:19-55. The abandoned property building list shall become effective either upon the expiration date of the period for appeal with respect to any property building placed on the list or upon the denial of an appeal brought by the owner. Thereafter, the municipality may pursue any statutory remedy with respect to properties buildings on the Abandoned Property list, including the sale of tax sale certificate subject to the condition that the purchase or assignee shall be obliged to complete any rehabilitation or repairs required to render the property building eligible for removal from the abandoned property building list.

~~§ 254-21.8. Fees.~~

~~The initial registration fee, and subsequent renewals, for each vacant property shall be as provided in Chapter 160, Fees and Charges.~~

~~§ 254-21.9. Violations and penalties.~~

~~Any person violating any of the provisions of this chapter shall, upon conviction, be punished as provided for in Chapter 1, General Provisions, § 1-25.~~

§254.21.8. Requirements for owners of vacant lots.

The owner of any vacant lot and any person maintaining such a lot shall within 60 days:

- a) Register the vacant lot of which they are in possession.
- b) Enclose and secure the property against unauthorized entry with a six (6) foot tall fence in accordance with § 345-67, (Fences and walls) and with any other applicable provisions of the Code of the City of Jersey City. Broken or open fences must be repaired or replaced in a timely fashion.
- c) Ensure that all bushes and trees are trimmed and that they do not interfere with neighboring properties.

- d) Ensure that grass does not exceed twelve (12) inches height and that all grass clippings are removed from the lot when the grass is cut.
- e) Lots must be clear of all garbage, litter and debris. Vacant lots must be clear of all vehicles: cars, boats, campers, etc.
- f) All sidewalks bordering vacant lots must be maintained and be cleared of snow, ice, tripping hazards, obstructions, garbage, litter and debris.
- g) The owner or owner's agent shall perform regular weekly inspections of the vacant lot to ensure compliance with the requirements of this section.

§254.21.9. Fees.

The initial registration fee for each vacant building or vacant lot shall be two hundred fifty dollars (\$250.00). The fee for subsequent renewals shall be five hundred dollars (\$500.00). The renewal fee for the annual registration shall be due on the yearly anniversary of the initial registration. The registration fee will not be prorated or refunded.

The initial registration fee, and subsequent renewals, for each vacant building or lot shall be as provided in Chapter 160, Fees and Charges.

§254.21.10. Violations and Penalties.

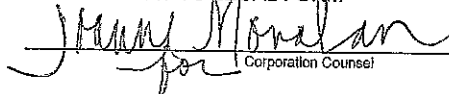
Any person violating any of the provisions of this chapter, shall, upon conviction, be punished as provided for in Chapter 1, General Provisions, Sec. 1-25.

- C. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- D. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- E. This Ordinance shall take effect at the time and in the manner as provided by law.
- F. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

Note: All new material is underlined; words ~~struck through~~ are omitted. For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

JJH
4/23/14

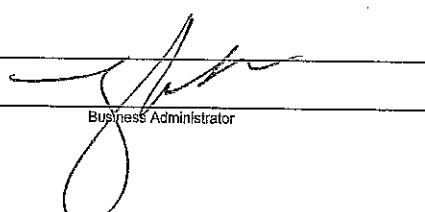
APPROVED AS TO LEGAL FORM


Corporation Counsel

Certification Required ☐
Not Required ☒

APPROVED: _____

APPROVED: _____


Business Administrator

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE AMENDING CHAPTER 254, (PROPERTY MAINTENANCE) ARTICLE IV, TO ESTABLISH A REGISTRATION FEE FOR VACANT LOTS AND TO PROVIDE MAINTENCE STANDARDS FOR VACANT LOTS.

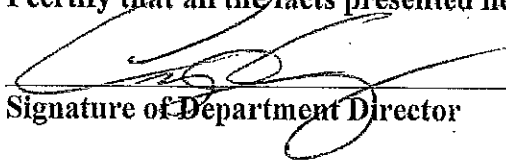
Initiator

Department/Division	Department of Housing, Economic Development & Commerce	Division of Housing Code Enforcement
Name/Title	Edward Coleman	Director <i>Edward Coleman</i>
Phone/email	(201) 547-4825	edco@jenj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

I certify that all the facts presented herein are accurate.


Signature of Department Director

4/16/14
Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.045

TITLE: 3.A APR 23 2014 4.A MAY 14 2014

An ordinance amending Chapter 254, (Property Maintenance) Article IV, to establish a registration fee for vacant lots and to provide maintenance standards for vacant lots.

RECORD OF COUNCIL VOTE ON INTRODUCTION APR 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAY 14 2014 9-0											
Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>COLEMAN</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAY 14 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 23 2014
Adopted on second and final reading after hearing on MAY 14 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 14 2014

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAY 14 2014

APPROVED:

Steven M. Fulop, Mayor

Date MAY 19 2014

Date to Mayor MAY 15 2014

City Clerk File No. Ord. 14.046

Agenda No. 3.B 1st Reading

Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.046

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
REPEALING ORDINANCE 13.099 AMENDING THE DANFORTH AVENUE TRANSIT
VILLAGE REDEVELOPMENT PLAN**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Danforth Avenue Transit Village Redevelopment Plan at its meeting of October 7, 2008, by Ordinance 08-142; and

WHEREAS, the Municipal Council of the City of Jersey City at its meeting of September 25, 2013, adopted Ordinance 13.099 creating an port industrial overlay district and adding Block 30305, Lot 24 to the Danforth Avenue Transit Village Redevelopment Plan; and

WHEREAS, the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.) permits municipalities to adopt and amend regulations dealing with areas declared to be "in need of redevelopment," and "in need of rehabilitation;" and

WHEREAS, the Municipal Council seeks resolve pending litigation prior to reconsidering land use changes with the Danforth Avenue Transit Village Redevelopment Plan; and

WHEREAS, repealing the prior amendments to the Danforth Avenue Transit Village Redevelopment Plan was reviewed by the Jersey City Planning Board at its meeting of April 8, 2014; and

WHEREAS, the Planning Board voted favorably to recommend repealing Ordinance 13.099; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that Ordinance 13.099 be, and hereby is, repealed in its entirety, as recommended by the Jersey City Planning Board.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Robert D. Cotter, PP, FAICP, Director, Division of City Planning

APPROVED AS TO LEGAL FORM


Joanne Morahan
Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required ☐

Not Required ☒

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY REPEALING ORDINANCE 13.099 AMENDING THE DANFORTH AVENUE TRANSIT VILLAGE REDEVELOPMENT PLAN

This ordinance repeals Ordinance 13.099 for the purpose of resolving litigation against the City. Ordinance 13.099 had adopted a port industrial overlay zone and added Block 30305, Lot 24 to the Danforth Avenue Transit Village Redevelopment Plan.

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY REPEALING
ORDINANCE 13.099 AMENDING THE DANFORTH AVENUE TRANSIT VILLAGE
REDEVELOPMENT PLAN**

Initiator

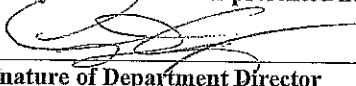
Department/Division	HEDC	City Planning
Name/Title	Robert Cotter, PP, AICP	Director
Phone/email	201-547-5010	bobbyc@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

Will rescind Ordinance 13.099. Ordinance 13.099 had created a port industrial overlay zone and added Block 30305, Lot 24 to the Danforth Avenue Transit Village Redevelopment Plan. The rescinding of this Ordinance is intended to help resolve pending litigation against the City.

I certify that all the facts presented herein are accurate.


Signature of Department Director

4/15/14
Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.046

TITLE: 3.B APR 23 2014 4.B MAY 14 2014

Ordinance of the Municipal Council of the City of Jersey
City repealing Ordinance 13.099 amending the Danforth
Avenue Transit Village Redevelopment Plan.

RECORD OF COUNCIL VOTE ON INTRODUCTION APR 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAY 14 2014 9-0											
Councilperson <u>LAVARRO</u> moved, seconded by Councilperson <u>RAMCHAL</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAY 14 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

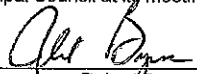
APR 23 2014

Adopted on first reading of the Council of Jersey City, N.J. on _____

MAY 14 2014

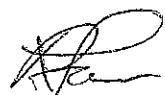
Adopted on second and final reading after hearing on _____

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on **MAY 14 2014**


Robert Byrne, City Clerk

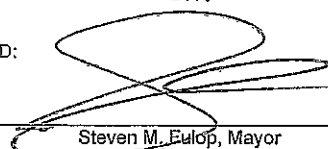
*Amendment(s):

APPROVED:


Rolando R. Lavarro, Jr., Council President

Date **MAY 14 2014**

APPROVED:


Steven M. Eulop, Mayor

Date **MAY 19 2014**

Date to Mayor **MAY 15 2014**

City Clerk File No. Ord. 14.047

Agenda No. 3.C 1st Reading

Agenda No. 4.C. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.047

TITLE: AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE PAULUS HOOK REDEVELOPMENT PLAN TO PERMIT THE SUBDIVISION OF DEVELOPED PROPERTY WHILE REQUIRING THE SUM OF THE NEW MULTIPLE LOTS TO MEET THE APPLICABLE ZONING REQUIREMENTS

WHEREAS, the Municipal Council of the City of Jersey City adopted the Paulus Hook Redevelopment Plan ("Plan") in April, 1969, and amended the Plan in September, 1971; in September, 1973; in December, 1997; and most recently on September, 13, 2012; and

WHEREAS, the existing zoning standards and regulations in the Plan are premised on former planning principals that are outdated, and the subdivision of existing development parcels would be difficult under the existing zoning standards and regulations and may result in undesirable development lots; and

WHEREAS, the purpose of the proposed amendments is to permit the subdivision of property while requiring the sum of the new multiple lots to meet the applicable zoning requirements; and

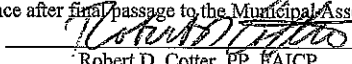
WHEREAS, the existing zoning standards and regulations will remain in place, and any amendments to these zoning regulations and standards would be subject to further review by the Planning Board and approval by the Municipal Council; and

WHEREAS, the Planning Board, at its meeting of March 25, 2014, determined that the Paulus Hook Redevelopment Plan should be amended to permit the subdivision of property and voted to recommend the adoption of the proposed amendment to the City Council; and

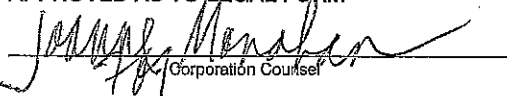
WHEREAS, a copy of the Planning Board's recommended amendments to the Paulus Hook Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Jersey City, that:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This Ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance certified and incorporated in the official copies of the Jersey City Code.
- C. This Ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code, in order to avoid confusion and possible accidental repeals of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S.A. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Assessor as required by N.J.S.A. 40:49-2.1


Robert D. Cotter, PP, FAICP

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: 

APPROVED: 

Business Administrator

Certification Required ☐

Not Required ☒

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE PAULUS HOOK REDEVELOPMENT PLAN TO PERMIT THE SUBDIVISION OF DEVELOPED PROPERTY WHILE REQUIRING THE SUM OF THE NEW MULTIPLE LOTS TO MEET THE APPLICABLE ZONING REQUIREMENTS

Initiator

Department/Division	HEDC/Planning	
Name/Title	R. Cotter, Director, PP, FAICP	M. Bucci-Carter, Supervising Planner, PP, AICP
Phone/email	201-457-5050 ; bobbyc@jcnj.org	201-547-4499; maryannb@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

This ordinance permits the subdivision of developed property within the redevelopment area while requiring the sum of the new multiple lots to meet the applicable zoning requirements.

The purpose for allowing the subdivision is to legally separate the existing building from the rest of the parcel for financing reasons without making it non-conforming.

I certify that all the facts presented herein are accurate.


Signature of Department Director

Date

Proposed Paulus Hook Redevelopment Plan Amendments

ver. 2013.12.11

F. Land Disposition Supplement

1. Specific land use designations and standards to be imposed on disposition parcels to be offered for sale or lease in NDP Area I (Paulus Hook A-3-I)

- A. Planning and design objectives and standards for residential parcels.

These parcels shall be utilized for the construction of a multiple family dwelling or dwellings accessory uses customary incidental thereto including enclosed and open parking and outdoor recreation facilities and commercial uses designed to serve immediate residential needs. Limited commercial uses may include actives clearly compatible with the dominant residential use as, for example, pharmacies, eating facilities, retail establishments and professional offices. Non-residential uses shall not occupy more than 15 per cent of the gross interior floor area, exclusive of underground parking facilities, developed pursuant to this plan. Vehicular traffic generated from redevelopment parcels shall be discharged onto adjacent streets as to minimize interference with proximate traffic flows.

Redevelopment parcels may be made available for development of new housing for persons of moderate income.

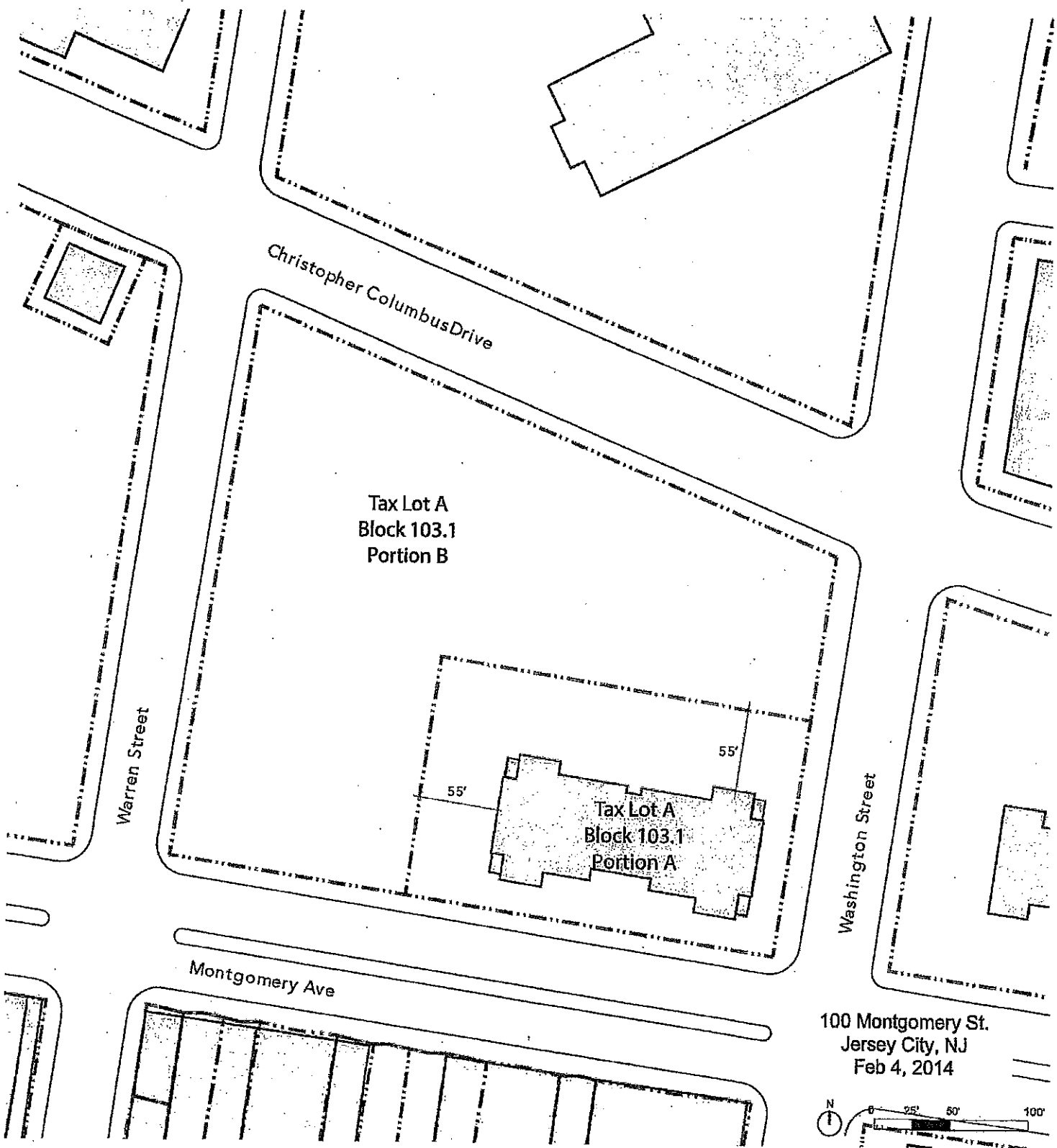
- (i) No structure or structures shall:

- (a) Be sited more closely than fifteen (15) feet to any property line.
- (b) Cover more than twenty-five (25) per cent of the land within respective disposition parcels.
- (c) Exceed a density of one hundred twenty six (126) housing units per acre.
- (d) Exceed the lesser of twenty-three (23) stories or two hundred and thirty (230) feet in height.

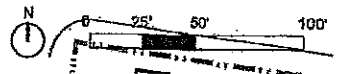
- (ii) *Notwithstanding the standards set forth in Section f.1.A.(i) herein, parcels and development may be subdivided. When a development parcel is subdivided, the coverage and density requirements above shall be averaged over the tax block and new lots that are created from the subdivided parcel.*

(iii) Redevelopment within each disposition parcel shall provide:

- (a) A minimum of four vehicular parking spaces per ten housing units. In the event that structures or a specified number of housing units are specifically constructed for occupancy by elderly persons and a covenant to that effect is inserted within disposition agreements, four parking spaces shall be required for each ten housing units.**
- (b) A minimum of one (1) square foot of vehicular parking space per two (2) square feet of accessory commercial floor space.**
- (c) Space for commercial loading and unloading generated by the predominant residential use. No commercial loading or unloading, whether for residential or accessory uses, shall occur from public rights-of-way or residential parking lots.**
- (d) That a minimum of fifteen (15) percent of each disposition parcel shall be landscaped. All areas not developed for buildings, access drives, parking areas or recreational areas shall be landscaped.**
- (e) *Residential parcels and development may be subdivided. The above parking, loading and landscaping requirements may be provided on the development parcel or on an adjacent lot within the subdivided tax block.***



100 Montgomery St.
Jersey City, NJ
Feb 4, 2014



SUMMARY STATEMENT

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE PAULUS HOOK REDEVELOPMENT PLAN TO PERMIT THE SUBDIVISION OF DEVELOPED PROPERTY WHILE REQUIRING THE SUM OF THE NEW MULTIPLE LOTS TO MEET THE APPLICABLE ZONING REQUIREMENTS

The Paulus Hooke Redevelopment Area is bounded by Christopher Columbus Drive on the North, Warren Street on the West, Montgomery Street to the South and Greene Street on the East.

This ordinance permits the subdivision of developed property within the redevelopment area while requiring the sum of the new multiple lots to meet the applicable zoning requirements.

The purpose for allowing the subdivision is to legally separate the existing building from the rest of the parcel for financing reasons without making it non-conforming.

DEPARTMENT OF HOUSING, ECONOMIC DEVELOPMENT & COMMERCE
Division of City Planning



Inter-Office Memorandum

DATE: April 7, 2014

TO: Rolando Lavarro, Council President
Member of the Municipal Council

FROM: Robert D. Cotter, PP, FAICP; Planning Director
Maryann Bucci-Carter, PP, AICP; Supervising Planner

SUBJECT: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO THE PAULUS HOOK
REDEVELOPMENT PLAN TO PERMIT THE SUBDIVISION OF DEVELOPED
PROPERTY WHILE REQUIRING THE SUM OF THE NEW MULTIPLE LOTS
TO MEET THE APPLICABLE ZONING REQUIREMENTS

The development firm L+M Development Partners has requested an amendment to the Paulus Hook Redevelopment Plan that would allow them to subdivide off the existing Paulus Hook Towers from the parking lot and landscaped area of the block at Montgomery and Washington. The purpose for the subdivision is to legally separate the building from the rest of the parcel for financing reasons, but also, ultimately, to redevelop the parking lot into a new complex of parking garage, apartment tower(s?), and ancillary development.

We are not prepared to move the amendments to allow the ambitious desire to redevelop the bulk of the site, as we are just beginning to discuss what can and should happen here. But the subdivision will permit the pending purchase to go forward and will assure that the existing building gets rehabbed as it certainly needs, and we will get back to you in the near future with the concepts for the parking lot area of the block.

We agree that the urban renewal project from the 1970s is outdated and needs to be repaired. It now appears unfinished with limited landscaping and a wide expansive of parking lot. The "tower in the parking lot" idea was never a good one, but back in the days of urban renewal, the City tore down the old, blighted relics from the Victorian era and put up sprawling parking lots and dreary apartment towers.

It is time to fix the problems created during the urban renewal era. This is a first step toward that goal.

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.047

TITLE: 3.C APR 23 2014 4.C MAY 14 2014

An ordinance of the Municipal Council City of Jersey City adopting amendments to the Paulus Hook Redevelopment Plan to permit the subdivision of developed property while requiring the sum of the new multiple lots to meet the applicable zoning requirements.

RECORD OF COUNCIL VOTE ON INTRODUCTION APR 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAY 14 2014 9-0											
Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>RAMCHAL</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAY 14 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 23 2014

Adopted on second and final reading after hearing on MAY 14 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date _____

APPROVED:

Steven M. Fulop, Mayor

Date MAY 19 2014

Date to Mayor MAY 15 2014



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.048

TITLE:

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE MCGINLEY SQUARE EAST REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City adopted the McGinley Square East Redevelopment Plan at its meeting of October 12, 2011, by Ordinance 11-089; and

WHEREAS, the Municipal Council seeks renewed investment and development in the McGinley Square area; and

WHEREAS, the following amendments to the McGinley Square East Redevelopment Plan have been reviewed by the Jersey City Planning Board at its meeting of April 8, 2014; and

WHEREAS, the Planning Board voted favorably to recommend adoption of these amendments by the Municipal Council; and

WHEREAS, a copy of the amended text is attached hereto and made a part hereof, and is available for public inspection at the Offices of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ; and

WHEREAS, since the community has expressed a concern about the potential loss of any lawful on-street parking due to the proposed development of a project in Zone 2 to be undertaken by McGinley Square Development Urban Renewal Company LLC (the "Developer"), the Developer has agreed to replace the amount of any such lawful on-street parking that is lost as the result of Developer's project with public parking in the project garage, without cost to the public, by any reasonable method selected by the City, such as "permit parking" on a first-come-first-serve basis and such obligation shall be a condition of any site plan approval granted for the project; and


WHEREAS, the Developer has represented to the Municipal Council that it is required pursuant to a Development Agreement with Saint Peter's University to replace any existing on-site parking at the project site with one or more temporary off-street parking locations during the construction of the project.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the attached amendments to the McGinley Square East Redevelopment Plan be, and hereby is, adopted as recommended by the Jersey City Planning Board.

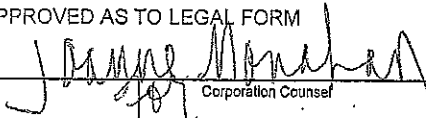
BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to

N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required), Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Robert D. Cotter, PP, FAICP, Director
Division of City Planning

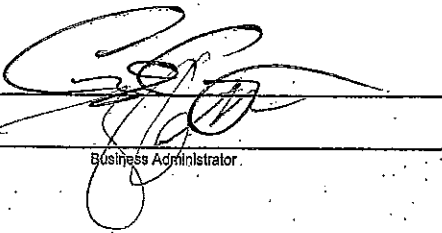
APPROVED AS TO LEGAL FORM


Joanne Monahan
Corporation Counsel

Certification Required ☐
Not Required ☒

APPROVED:

APPROVED:


Business Administrator

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING
AMENDMENTS TO THE MCGINLEY SQUARE EAST REDEVELOPMENT PLAN**

Initiator

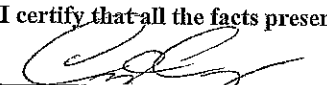
Department/Division	HEDC	City Planning
Name/Title	Robert Cotter, PP, AICP	Director
Phone/email	201-547-5010	bobbyc@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The Redevelopment Area consists of a variety of residential, commercial, and industrial uses that contain a variety of negative influences, including vacant lots, vacant and dilapidated buildings, and underutilized or obsolete facilities, which contribute to a lack of private investment in the Area. The original plan relied on mass consolidation of properties for the full implementation of the plan, which is no longer feasible. The amended plan will clarify development rights and allow for redevelopment without mass consolidation of property within the plan area.

I certify that all the facts presented herein are accurate.


Signature of Department Director

4/14/14
Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.048

TITLE: 3.D APR 23 2014 4.D MAY 14 2014

Ordinance of the Municipal Council of the City of Jersey
City adopting amendments to the McGinley Square East
Redevelopment Plan.

RECORD OF COUNCIL VOTE ON INTRODUCTION APR 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>RAMCHAL</u> to close P.H. 9-8											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

ANTHONY BASTARDI
EUGENE PAOLINI
LAVERN WASHINGTON
R.L. WILLIAMS
LORENZO RICHARDSON
FRED SHANDLER
EMANUEL WOOTEN
ELIJAH CAYETANO
JEAN MARIE SULLIVAN
ASSUNTA FOLCARELLI
DONNA CAPELL
NICK MARINELLO
IAN ABDON

SPEAKERS:
ZAC DUNCAN
JORGE ESPINOSA
NORRIS GADSDEN
CHARLENE BURKE
KAREE SKARSTEN
ZYNITA DAVIS
STACY JACKSON
JASON SHANNON
PAOLA YANEZ
KEVIN AUGUSTE
SAYMON SANTIAGO
DAN GOLDEN
ERIC GRIFFIN

CAROL HRABOWSKI
COURTNEY ROBERTS
CYNTHIA SAMSON
CEYAN BIRNEY
PAUL BELLAN-BOYER
YVONNE BALZER
CHRIS LESNEVSKI
BRIGID D'SOUZA
STEVE DAVISON
MIGUEL GAVINO
RIAZ WAHID
JEFF KAPLOWICZ
EUGENE CORNACCHIA
ARNOLD WILLIAMS

LISA BELLAN-BOYER

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY MAY 14 2014											
Councilperson <u>BOGGIANO</u> moved to amend* Ordinance, seconded by Councilperson <u>OSBORNE</u> & adopted 8-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA		✓	
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF FINAL COUNCIL VOTE MAY 14 2014 8-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA		✓	
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on

APR 23 2014

Adopted on second and final reading after hearing on

MAY 14 2014

This is to certify that the foregoing Ordinance was adopted by
the Municipal Council at its meeting on

MAY 14 2014

Robert Byrne, City Clerk

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAY 14 2014

APPROVED:

Steven M. Fulop, Mayor

Date MAY 10 2014

MAY 15 2014

Date to Mayor

*Amendment(s):
pg 12 GENERAL REQUIREMENTS
SECT. 1. ARCHITECTURAL LIGHTING SCREENS
ARE PROHIBITED

City Clerk File No. Ord. 14.049

Agenda No. 3.E 1st Reading

Agenda No. 4.E 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.049

TITLE:

ORDINANCE APPROVING A 20 YEAR TAX EXEMPTION FOR A MARKET RATE RESIDENTIAL CONDOMINIUM PROJECT TO BE CONSTRUCTED BY 160 FIRST STREET URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, 160 First Street Urban Renewal, LLC, is an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. (Entity); and

WHEREAS, the Entity owns certain property known as Block 11502, Lots 9, 10 & 11, on the City's Official Tax map, and more commonly known by the street address of 160 Street (a/k/a 162, 164 and 168-170 First Street), and more specifically described by metes and bounds, in the application [Property]; and

WHEREAS, the Property is located within the Powerhouse Arts District Redevelopment Plan Area as required by N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g); and

WHEREAS, the Entity has applied for a 20 year long term tax exemption to construct a fourteen (14) story building with a total of 159 residential condominium units, approximately 152 market rate residential condominium units; seven (7) units of moderate and/or workforce affordable housing condominium units on site*; one condominium unit of 3,819 square feet of ground level retail/commercial space; and one condominium unit of approximately sixty-four (64) parking spaces; and

WHEREAS, the Project received a site plan approval from the Planning Board on February 25, 2014; and

WHEREAS, 160 First Street Urban Renewal, LLC, has agreed to:

1. pay the greater of (i) the Minimum Annual Service Charge or (ii) 10% of Annual Gross Revenue each year, which sum is estimated to be \$780,859, and which shall be subject to statutory staged increases over the term of the tax exemption; and
2. pay an annual sum equal to 1% of each prior year's Annual Service Charge as an Administrative Fee; and

* the developer will also construct an additional seven (7) units of moderate or workforce affordable housing condominium units off-site as a condition of the Site Plan approval, which will be constructed at 239 Liberty Avenue, but which units are not the subject of this tax exemption.

3. provide employment and other economic opportunities for City residents and businesses;
4. pay to City for remittance to Hudson County, an equal to 5% of the Annual Service Charge upon receipt of that charge;
5. provide seven (7) units of moderate and or workforce affordable housing on site*;
6. provide a contribution to the City's Affordable Housing Trust Fund, pursuant to Ordinance 03-112, in the amount of \$254,852; and
7. buy an additional 15 years of tax exemption, (from Tier 1 to Tier 3) by making a one-time contribution to the City equal to 3.0% of the Project's actual Construction Costs as an element of Total Project Costs as defined in the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., estimated to be \$34,000,000, or approximately \$1,020,000; and

WHEREAS, the City hereby determines that the relative benefits of the project outweigh the cost of the tax exemption, for the following reasons:

1. the current real estate taxes generate revenue of only \$26,300, whereas, the Annual Service Charge as estimated, will generate revenue of more than \$780,859 to the City and an additional sum of approximately \$39,043 to Hudson County;
2. it is expected that the Project will create approximately 90 jobs during construction and 14 new permanent jobs;
3. the Project will stabilize and contribute to the economic growth of businesses in the surrounding area;
4. the Project will further the overall redevelopment objectives of the Powerhouse Arts District Redevelopment Plan Area;
5. the City's impact analysis, on file with the Office of the City Clerk, indicates that the benefits of the Project outweigh the costs to the City;
6. construction jobs shall be subject to a Project Labor Agreement, pursuant to Section 304-33 of the Jersey City Municipal Code;
7. janitorial and unarmed security jobs on the project shall be paid a Living Wage pursuant to Section 3-76 of the Jersey City Municipal Code; and

WHEREAS, the City hereby determines that the tax exemption is important in obtaining development of the project and influencing the locational decisions of probable occupants for the following reasons:

1. the relative stability and predictability of the Annual Service Charges will make the Project more attractive to investors needed to finance the Project;

* the developer will also construct an additional seven (7) units of moderate or workforce affordable housing condominium units off-site as a condition of the Site Plan approval, which will be constructed at 239 Liberty Avenue, but which units are not the subject of this tax exemption.

2. the relative stability and predictability of the Annual Service Charges will allow the owner to stabilize its operating budget, allowing a high level of maintenance to the building over the life of the Project, which will attract purchasers to the Project and insure the likelihood of the success of the Project; and

WHEREAS, 160 First Street Urban Renewal, LLC, has initially complied with Executive Order 2002-005 concerning "Disclosure of Lobbyist Representative Status" by filing an appropriate letter in the Office of the City Clerk; and

WHEREAS, 160 First Street Urban Renewal, LLC has agreed to comply with the City of Jersey City's Ordinance 07-123 Requiring Apprenticeships and Project Labor Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

A. The application of 160 First Street Urban Renewal, LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, for Block 11502, Lots 9, 10 & 11, more commonly known by the street address of 160 Street (a/k/a 162, 164 and 168-170 First Street), more specifically described by metes and bounds in the application is hereby approved.

B. The Mayor or Business Administrator is hereby authorized to execute a tax exemption Financial Agreement and a Project Employment and Contracting Agreement. The Financial Agreement shall include at a minimum the following terms and conditions:

1. Term: the earlier of 25 years from the adoption of the within Ordinance or 20 years from the date the project is Substantially Complete;
2. Annual Service Charge: each year the greater of:
 - (a) the Minimum Annual Service Charge equal to \$26, 527 upon Project Completion, whether or not the Project is occupied; or
 - (b) 10% of Annual Gross Revenue, estimated at \$780,859, which shall be subject to statutory increases during the term of the tax exemption.
3. Administrative Fee: 1% of the prior year's Annual Service Charge;
4. County Payment: an additional 5% of the Annual Service Charge for remittance by the City to Hudson County;
6. Affordable Housing Trust Fund: provide a contribution to the City's Affordable Housing Trust Fund, pursuant to Ordinance 03-112, in the amount of \$254,852; .
6. Project: a fourteen (14) story building with a total of 159 residential condominium units, 152 market rate residential condominium units; seven (7) units of moderate and/or workforce affordable housing condominium units on site*; one condominium unit of 3,819 square feet of ground level retail/commercial space; and one condominium unit of approximately sixty-four (64) parking spaces;

* the developer will also construct an additional seven (7) units of moderate or workforce affordable housing condominium units off-site as a condition of the Site Plan approval, which will be constructed at 239 Liberty Avenue, but which units are not the subject of this tax exemption.

7. A one-time contribution to the City equal to 3.0% of the Project's actual Construction Costs as an element of Total Project Costs as defined in the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., estimated to be \$34,000,000, which sum is estimated to be approximately \$1,020,000 to buy an additional 15 years of tax exemption, (from Tier 1 to Tier 3); and
8. An obligation to execute (i) a Project Employment and Contracting Agreement and (ii) a Project Labor Agreement to insure employment and other economic benefits to City residents and businesses;
9. An obligation to pay a Living Wage to all janitorial and unarmed security jobs pursuant to Section 3-76 of the Jersey City Municipal Code;
10. This Ordinance will sunset and the Tax Exemption will terminate unless construction of the Project begins within two (2) years of the adoption of the within Ordinance.

C. The City Clerk shall deliver a certified copy of the Ordinance and Financial Agreement to the Tax Assessor and Director of the Division of Local Government Services.

D. The application is on file with the office of the City Clerk. The Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.

E. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

F. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.


G. This ordinance shall take effect at the time and in the manner provided by law.

H. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JM/DJ/he
4/23/14

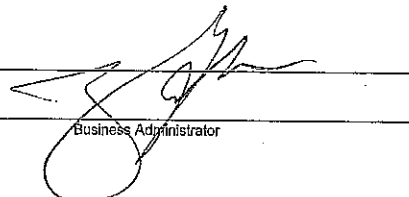
APPROVED AS TO LEGAL FORM


Joanne Monahan
Corporation Counsel

Certification Required ☐
Not Required ☒

APPROVED: _____

APPROVED: _____


Business Administrator

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.049

TITLE: 3.E APR 23 2014 4.E

MAY 14 2014

Ordinance approving a 20 year tax exemption for a market rate residential condominium project to be constructed by 160 First Street Urban Renewal, LLC, an urban renewal entity, pursuant to the Long Term Tax Exemption Law N.J.S.A. 40A:20-1 et seq.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
APR 23 2014 6-3											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN		✓	
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
MAY 14 2014 9-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>RIVERA</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALZER
MARK SIMON
BRIGID D'SOUZA
CRAIG FREIBUAG
ANDREW WILSON
EUGENE SARBU
YARON ZUSSMAN
NATALIE MINARD
DOROTHY MANI
GRACIE JOLLY
LAVERN WASHINGTON

PATRICK KELLEHER
DANIELLE SAROU
GERALD EGLENTOWICZ
RIAZ WAHID

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted _____											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
MAY 14 2014 6-3											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN		✓		RIVERA	✓		
RAMCHAL	✓			OSBORNE		✓		WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.		✓	

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on

APR 23 2014

Adopted on second and final reading after hearing on

MAY 14 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

MAY 14 2014

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date MAY 14 2014

APPROVED:

Steven M. Fulop, Mayor

Date MAY 19 2014

Date to Mayor

MAY 15 2014